



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Paper No. 28

MANDEL & ADRIANO
35 N. ARROYO PARKWAY SUITE 60
PASADENA, CA 91103

COPY MAILED

SEP 15 1999

In re Application of
Linsley, Ledbetter, Bajorath,
Peach, and Brady
Application No. 08/228,208
Filed: April 15, 1994
Attorney Docket No. 30436-30US01
For: CTLA4/CD28IG HYBRID FUSION
PROTEINS AND USES THEREOF

**SPECIAL PROGRAMS OFFICE
DAC FOR PATENTS**

Decision Granting Petitions
Under
37 CFR 1.47(a) and 1.48(c)

This is in response to the petitions under 37 CFR 1.47(a) and 1.48(c), filed April 3, 1998. The paper has also been treated as a petition under 37 CFR 1.48(b) to delete Wallace and Damle as inventors.

The petition under 37 CFR § 1.47 is granted.

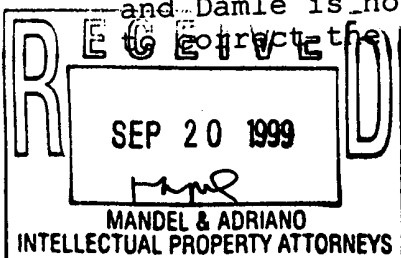
The petition under 37 CFR § 1.48(c) to correct the inventorship is granted.

The petition under 37 CFR § 1.48(b) to correct the inventorship is granted.

Petitioner has shown that non-signing joint inventor Ledbetter has refused to join in the filing of the application naming Linsley, Ledbetter, Bajorath, Peach, and Brady as joint inventors.

Petitioner has shown that the failure to name Peach and Bajorath as inventors was without deceptive intent and that amendment of the inventorship is necessitated by amendment of the claims. Based on the file record as a whole and the facts as set forth in the petition, the error in inventorship occurred without deceptive intent and was diligently corrected. Accordingly, the petition to correct the inventorship to add Peach and Bajorath has been granted.

Furthermore, petitioner has shown that the invention of Wallace and Damle is no longer being claimed. Accordingly, the petition to correct the inventorship to delete Wallace and Damle has been granted.



granted.

The application papers have been amended to reflect that Linsley, Ledbetter, Bajorath, Peach, and Brady are the joint inventors of the claimed invention.

After mailing this decision, the \$130.00 petition fee for the petition under 37 CFR 1.48(b) will be charged to deposit account No. 50-0306.

Thereafter, the above-identified application will be forwarded to the Office of Patent Publication for further processing.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(a), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the Declaration. Notice of the filing of this application will also be published in the Official Gazette.

Telephone inquiries regarding this communication should be directed to the undersigned at (703)306-3159.



Karin Tyson
Senior Legal Advisor
Special Program Law Office
Office of the Deputy Assistant Commissioner
for Patent Policy and Projects



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Jeffrey A. Ledbetter
306 N.W. 113th Place
Seattle WA 98117

COPY MAILED

SEP 15 1999

**SPECIAL PROGRAMS OFFICE
DAC FOR PATENTS**

In re Application of
Linsley, Ledbetter, Bajorath, Peach, and Brady
Application No. 08/228,208
Filed: April 15, 1994
Attorney Docket No. 30436-30US01
For: CTLA4/CD28IG HYBRID FUSION PROTEINS AND USES THEREOF

Dear Mr. Ledbetter:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at (703)305-9285. Requests for information regarding your application should be directed to the File Information Unit at (703)308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703)308-9726 or 1(800)972-6382 (outside the Washington D.C. area).

Karin Tyson

Karin Tyson
Legal Advisor
Special Program Law Office
Office of the Deputy Assistant Commissioner
for Patent Policy and Projects

MANDEL & ADRIANO
35 N. ARROYO PARKWAY SUITE 60
PASADENA, CA 91103